

REMARKS

This Response is in reply to the final Office Action mailed on May 4, 2005. Claims 19-26 and 28-32 are pending. Claims 19 and 28 have been amended herein. Claim 27 has been cancelled. Support for the amendment to claim 19 is recited on pages 6, 7, 10 (first paragraph) and shown on Figures 2A and 2B. No new matter has been added. Entry and consideration of the amendments and following remarks is respectfully requested.

Examiner's Interview

In an Examiner's Interview on August 1, 2005, Examiner Leonard Leo agreed that claim 19 would be allowable if "eccentric" was deleted from the claim and the location of flows L_2 and L_1 were switched in claim. The Examiner stated the claim is still allowable because the eccentric piece is not necessary to move the damper. However the Examiner did not agree to the deletion of "range within 2-6" as requested by the Applicant.

Claim Objections

Claim 19 has been amended to delete that the piece is eccentric. Claims 28 has been amended to recite that the piece is eccentric. Claim 28 now further limits the subject matter of claim 19. The Applicant respectfully requests that the claim objection be withdrawn.

Claim Rejections

Claims 19-27 and 29-32 were been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out the subject matter of the invention. Regarding claim 19, the phrase “preferably” was deleted from the claim. Claim 27 was cancelled. Therefore the claims now recite the subject matter which the Applicant regards as the invention. The Applicant respectfully requests that the claim rejection be withdrawn.

Conclusion

In view of the amendments to the claim 19 made herein and the arguments presented above, it is submitted that the Examiner's rejections have been overcome and should be withdrawn. The application should now be in condition for allowance.

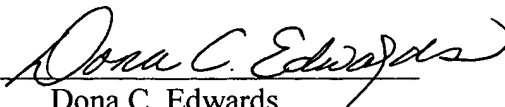
The Applicants respectfully request that the Examiner provide indication that the drawings are accepted by the Examiner in the next formal communication.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

It is believed that the submission of this Response is timely. In the event that any extensions and/or fees are required for the entry of this Response, the Commissioner is specifically authorized to charge such fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

STEINBERG & RASKIN, P.C.

By: 
Dona C. Edwards
Reg. No. 42,507

Steinberg & Raskin, P.C.
1140 Avenue of the Americas
New York, New York 10036
(212) 768-3800